

DARTFORD BOROUGH COUNCIL

**CABINET**

**MINUTES** of the meeting of the Cabinet held on Thursday 6 March 2014 at 7.00 pm

**PRESENT:** Councillor J A Kite, MBE (Chairman)  
Councillor A R Martin (Vice-Chairman)  
Councillor P F Coleman  
Councillor A R Lloyd  
Councillor C J Shippam

**ALSO PRESENT:** Councillor Mrs A D Allen (Lead Member)  
Councillor A Bardoe (Lead Member)  
Councillor P J Cannon  
Councillor D A Hammock (Lead Member)  
Councillor K M Kelly (Lead Member)  
Councillor E J Lampkin (Lead Member)  
Councillor B E Read (Lead Member)

**116. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**117. DECLARATIONS OF INTEREST**

Councillor J A Kite, MBE declared a prejudicial interest in Agenda Item 13, Land to North of Bob Dunn Way, as he is a Leigh Academies Trust director.

**118. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 23 JANUARY 2014**

RESOLVED:

That the minutes of the Cabinet meeting held on 23 January 2014 be confirmed.

**119. URGENT ITEMS**

There were no urgent items.

**120. TO RECEIVE THE MINUTES OF THE CABINET ADVISORY PANEL HELD ON 3 MARCH 2014**

The Cabinet received the minutes of the Cabinet Advisory Panel held on 3 March 2014 and took note of the Panel's views throughout the meeting.

**121. REFERENCES FROM COMMITTEES**

There were no references from other Committees.

**122. KENT MINERALS AND WASTE LOCAL PLAN - PRE-SUBMISSION CONSULTATION**

Kent County Council is carrying out a consultation on the final draft version of the Kent Minerals and Waste Local Plan prior to its submission to the Secretary of State. This report identified those issues which may have an impact on the Borough of Dartford and proposed a response to the consultation.

The Regeneration Director explained that this consultation focused on the overall strategy and associated planning policies relating to mineral extraction and waste management and said that further consultations, which would refer to the allocation of specific sites for minerals and waste would follow, at which point the impact on Dartford would be known.

Members noted the issues that had been raised by the Cabinet Advisory Panel and the fact that the Council's concerns over the potential safeguarding of sites near to areas of planned development had been highlighted in the response.

**RESOLVED:**

That the representations on the consultation document set out in Appendix A to the report be submitted as the Council's formal response to the final draft version of the Kent Minerals and Waste Local Plan.

**123. SIX MONTH REVIEW OF TENANCY AND HOUSING ALLOCATIONS POLICIES**

In April 2013, the Council implemented new Tenancy and Housing Allocations Policies following the introduction of the Localism Act, which gave Councils greater freedom to set their own local policies on the allocation of housing and the ability to implement flexible tenancies.

By November 2013, both Policies had been operational for six months and a review was carried out to establish whether the policies had been successful in achieving the Council's objectives. The review also considered whether there were any aspects of the Policies that required refinement.

This report set out the findings of the review and proposed changes to the Allocations Policy.

Members noted that the proposed revisions to the Housing Allocations Policy had received the Cabinet Advisory Panel's support.

The Chairman emphasised the importance of these policies and the need for them to be robust. He said that the Council's main responsibility was to the people of Dartford and that these policies enabled the Council to target its resources at local people. He also expressed support for the help that was being provided to former armed forces personnel and those with serious

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medical needs, and said that the Council would continue to only provide help to those with a genuine need.

Members echoed the feelings expressed by the Chairmen and wished to congratulate those who had been involved in the production of the policies which were clear, concise and easy to understand.

Members then referred to those who are housed in the Borough by other local authorities and questioned whether they should be allowed on the housing list at all. They also wished to know whether their presence in the Borough counted towards the 2 years residency required for them to join Dartford's housing list. The Regeneration Director replied that those being housed in temporary accommodation would not accrue time for being a Dartford resident and said that the homelessness duty remained with the local authority that was paying for the temporary accommodation. Members recognised the importance of this and the problems that would ensue if people who were being housed in Dartford by other local authorities were allowed to accrue time as a Dartford resident and asked that the Regeneration Director provide confirmation of the rules relating to this concern. Members again stressed how important it was to focus on the needs of local people who have local family networks in place to provide them with additional support.

Members also discussed the rehousing of ex-offenders and asked whether the seriousness of the crime was taken into account when deciding whether it was appropriate to house them in an area which could potentially be near to the victims of the crimes that had been carried out. The Regeneration Director replied that there was already a multi-agency review mechanism in place to deal with the rehousing of those who had committed certain categories of serious offence, but, as he was unsure whether the Council could apply its own policy for those who had committed less serious offences, he said that he would investigate further and advise Members of his findings.

In response to a question relating to the 2 year residency criterion the Regeneration Director said that it had been chosen as it had seemed a reasonable length of time, and that, having met the criterion, it would only allow them to be added to the housing list and would not necessarily mean that they are provided with housing. Members suggested that this length of time be kept under review and that a person's local support network and connections also be taken into consideration before allowing them access to the housing list.

Members discussed the policies used by other agencies that provide housing and were advised by the Regeneration Director that the Council liaises with those other agencies and, when carrying out a review, looks for common or complementary strategies.

Members then referred to the policy relating to those leaving prison and the fact that previous address history, prior to their incarceration, is accepted as proof of residency in the Borough. They asked whether this was fair given that other residents, who may be forced to move from the Borough in order to

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secure work, are then not able to use previous periods of residency in the Borough to meet the 2 year residency criterion when they return. Members asked that this aspect of the Allocations Policy be given further thought when it is next reviewed. The Regeneration Director confirmed that the Policy could undergo further review at any time but noted that the number of ex-offenders likely to use this policy to gain access to the housing list was small.

Members endorsed the proposed policy changes but asked that the length of the 2 year residency criterion also be reconsidered when the policies are next reviewed.

RESOLVED:

1. That the contents of the report be noted.
2. That the changes to the Allocations Policy, as detailed in the report, be approved.

**124. DRAFT HOUSING REPAIRS POLICY 2014**

The Council's current Repairs Policy has been operational since 2004. Since then, some changes have been made to the way the repairs service operates. The Policy has therefore been revised and updated to reflect these changes as well as ensuring that the information is set out more clearly, in terms of tenant and landlord responsibilities. This report presented the revised Repairs Policy for approval.

Before discussing the document the Chairman wished to thank those responsible for housing maintenance for the way that they had dealt with the weather related damage that had been caused by the winter storms.

The Regeneration Director then introduced the report and drew Members' attention to the change which now requires those who are subject to 'rechargeable repairs' to make payment in advance of the repairs being carried out.

Members noted the discussion that taken place at the Cabinet Advisory Panel and the fact that those repairs which might put tenants at risk if not carried out, and those which are required to ensure that a property remains secure, would always be acted upon immediately and invoiced to the tenant afterwards.

The 'Designated Person' for housing complaints, Councillor D A Hammock, who was present at the meeting, noted that since his appointment he had not been required to review any housing related complaints.

RESOLVED:

That the Draft Housing Repairs Policy 2014, attached at Appendix A to the report, be approved.

**125. PARKING MANAGEMENT - DARENTH ROAD, DARTFORD**

Brent ward members had suggested that the pay-and-display bay on Darenth Road be removed in order that commuters may park for free. They felt that this would lead to less commuter parking in nearby roads and reduced inconvenience for residents.

The Joint Transportation Board (JTB) had considered an associated report, which had explored a number of options, and made recommendations for improved highway management having considered observed driver behaviour and the demands for kerb-space in the area. This report presented those options, together with the issues that had been raised during discussion, and asked that Cabinet approve the option that had been recommended.

The Chairman noted that he had received an email from a local ward member, who could not be present at the meeting, expressing support for the proposed recommendation.

The Strategic Director advised that the change originally proposed by local ward members would not help those living near to Darenth Road because of the significant number of non-resident vehicles that are parked in the surrounding roads and the likelihood that the vehicles parked furthest from Darenth Road would simply contract slightly. She then talked Members through the change that had been proposed by officers and explained how this should meet the demands of all those who park in this area. She also referred to the suggested seasonal changes to parking restrictions that had been discussed at the Joint Transportation Board meeting but said that these were more appropriate for parking on sea fronts and might prove confusing if used in Dartford.

The Chairman asked whether local residents had been consulted and were aware of the proposals. The Strategic Director replied that residents had not been formally consulted but indications were that they were looking for anything to address their parking concerns, although she also noted that previous moves to introduce resident permit parking in the area had been met with strong opposition. Councillor Cannon, a local ward member who was in attendance at the meeting, also confirmed that local residents were aware of the proposal and said that he, and the other local ward members, supported the recommendations contained in the report.

**RESOLVED:**

1. That the information and considerations of the report be noted.
2. That the undertaking of the statutory process for the necessary Traffic Regulation Order amendment to implement the option described in section 3.16 c) of the report, and as illustrated in Appendix A to the report, be approved.

**126. REFURBISHMENT AND ENHANCEMENT WORKS TO CENTRAL PARK ATHLETICS TRACK**

This report sought approval from Members to procure works for the refurbishment and enhancement of Central Park Athletics Track.

The Chairman noted how pleased Tony Durey, President of Dartford Harriers, had been when he had learned of the Council's intention to improve the facility. Members also expressed their unanimous support for the proposed enhancements.

During the debate it was noted that some people drive at excess speed when approaching Central Park from Cranfield Road and suggested that traffic calming measures be installed on the approach road.

Members also considered whether anything should be done to improve the car park that is used by those who attend the athletics track but, following detailed discussion, decided that the existing surface, which was similar to that used by the National Trust on their woodland car parks, should be adequate.

The Chairman also referred to approaches that he had received in relation to a Park Run in Central Park and said that the idea was being taken forward and that events such as this were ideally suited to an active living park. He also felt that events such as this could also be successfully held at The Bridge.

**RESOLVED:**

That delegated authority be given to the Managing Director in conjunction with the Portfolio Member for Leisure to proceed with the procurement, and appointment of appropriate contractors, to deliver the refurbishment and enhancement works to Central Park Athletics Track.

**127. LAND AT ST. MARY'S ROAD, STONE**

This report updated Members on the situation relating to an area of land at St. Mary's Road, Stone, which had already been declared surplus to requirements, and sought approval to its sale.

Members noted that a letter had been received from a local resident relating to an adverse possession claim and asked whether this might influence the Council's ability to sell the land. The Project Director replied that the developer who had shown interest in the land was aware of the ownership issues and was willing to take responsibility for any current or future claims and take any necessary action to resolve them.

In response to a question relating to the overage payment clause in the Heads of Terms for sale and the Project Director confirmed that the payment was triggered by the granting of planning consent for residential development

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and that the terms as documented had been suggested by the developer who was interested in purchasing the land.

RESOLVED:

1. That the freehold interest in the land at St. Mary's Road, shown by blue verge and red verge on the plan attached at Appendix A to the report, be sold to the purchaser identified in exempt Appendix B to the report.
2. That approval be given to the Heads of Terms for the sale as set out in exempt Appendix B to the report, subject to any variation being agreed by the Managing Director in consultation with the Head of Legal Services.

**128. LAND TO NORTH OF BOB DUNN WAY DARTFORD**

Having declared a prejudicial interest Councillor J A Kite, MBE left the room and took no part in the debate or decision related to this item. Councillor A R Martin assumed the chair for this item.

This report advised Members of discussions with the Leigh Academies Trust about the provision of sports facilities, (with ancillary pavilion) for The Leigh University Technical College at The Bridge, and sought approval to the grant of a Lease of land to Leigh Academies Trust.

The Project Director noted that the Leigh Academies Trust had expressed their support for the proposed arrangement and would need to secure funding in order that they may develop the site for sporting purposes. He then referred to discussions that had taken place with Taylor Wimpey and the fact that they may be looking to provide an off-site contribution towards development of the facility instead of developing their own site and said that a report would have to be submitted to the Development Control Board in order that this option may be progressed. He also noted that, if this arrangement was agreed, the residents of The Bridge would also have access to the Trust's sporting facilities on this land.

RESOLVED:

1. That the discussions that have taken place and the background to this matter be noted.
2. That the grant of a 125 year Lease, at a peppercorn rent, of the land shown by red verge on the plan attached at Appendix A to the report, to Leigh Academies Trust, be approved.
3. That approval be granted to the Heads of Terms for the Lease, as set out in the report, subject to any variation being agreed by the Managing Director in consultation with the Head of Legal Services.

## **129. PROPOSED CREMATORIUM**

This report updated Members following the marketing of land at the former Mabledon Hospital site, and sought approval to the way ahead.

The Chairman talked Members through the process that had been followed in order to reach this stage and said that 4 bids had been received and that those shortlisted had been interviewed in order that the final selection could be made. He also noted the issues that had been raised by the Cabinet Advisory Panel and said that those who had made bids had been aware of the similar developments that had been proposed in Gravesham and Sevenoaks and had factored them into their projections. He said that Dartford's crematorium was being designed in a mature way so that it could provide a high quality modern service, which would have the capacity to fit the needs of any who might wish to make use of its facilities.

The Managing Director noted that the facility would also be able to cater for burials and the internment of ashes and said that, if the report's recommendations were approved, the Leader would be asked to agree the preferred bidder that had been selected.

In response to a request the Chairman confirmed that Darenth Parish Council would be kept informed of progress and said that thoughts would be shared with the Parish as the design is developed.

### **RESOLVED:**

1. That the result of the marketing exercise to seek a developer/operator, to provide a crematorium and other facilities on the site of the former Mabledon Hospital, be noted.
2. That the selection of a preferred developer and reserve developer be delegated to the Managing Director in consultation with the Leader of the Council.
3. That detailed terms for a Lease of the site be finalised by the Managing Director in consultation with the Head of Legal Services.

## **130. BANKING SERVICES**

This report advised Cabinet of recent developments with the Council's bankers, the Co-operative Bank plc, and asked them to approve the re-tender of banking services prior to the end of the current contract.

The Managing Director explained that the Co-operative Bank was planning to withdraw its service for Local Authorities and that it was considered better to commence the re-tendering process immediately, rather than wait and then possibly experience a declining service. He said that early re-tendering would incur no penalty and noted that the transfer would require a significant amount of work and take a considerable time to complete.

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Members expressed surprise that the Co-operative Bank had decided to withdraw its service to Local Authorities and noted that when the Council had become aware of previous problems that were being experienced by the Co-operative Bank it had opened a contingency bank account with Barclays Bank plc, and had taken the decision to no longer make overnight investments with the Co-operative Bank, in order to protect itself.

RESOLVED:

1. That the current position of the Co-operative Bank, in relation to the Council's banking services provision, be noted.
2. That approval be granted for the tendering of banking services prior to the end of the current contract.

**131. HACKNEY CARRIAGE FARE TARIFF 2014**

In December 2013 a ballot of all Hackney Carriage drivers was undertaken in regard to a Hackney Carriage fare increase. This report advised Members of the result of that ballot and asked them to endorse the proposed fare tariff change. The report also asked Members to endorse a change in the way that the accumulator charging band is implemented, and approve the mechanisms to be used when setting future fare tariff increases.

The Chairman noted the improved relationship that the Council now had with the Hackney Carriage trade and welcomed the way that the ballot process was being used to consult with drivers in order to find their preferred option when deciding how fare tariffs should be changed.

Members referred to the ballot that had been held and questioned whether the Council's interpretation of the results might confuse some people because it seemed to show that the option that had received the most votes had not been chosen. The Strategic Director replied that the results had shown a clear majority in favour of an increase, and that the option chosen had been the one that had received the most votes from the two 'increase' options given. She then agreed to review the questions that had been asked to avoid a 'split' vote if similar ballots are held in the future. She also noted the proposed move to regulated fare tariff changes in the future, and the intention to base them on the Consumer Price Index.

Members endorsed the process being used and thought that, in the absence of a representative body, this was the best way of ascertaining the views of drivers, who are best placed to know how a fare tariff increase might impact their business.

Members referred to the response rate and agreed that the views of those who had not voted could not be assumed and that the Council could only act on the ballots that had been returned. Members also noted that the defined

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fare tariffs represented the maximum that could be charged and that drivers were at liberty to ignore the increase and charge less if they wished.

RESOLVED:

1. That the wishes of the majority, to see an increase in fare tariff, be recognised, and that the Hackney Carriage fare tariff for April 2014, with a 40p increase across the mileage as shown at Appendix A to the report, therefore be endorsed.
2. That the principle to change the accumulator from a monetary value to a measurement based on yards/mile for this and future increases be endorsed.
3. That the option to base tariff increases on the Consumer Price Index as published annually in October, to take effect from April 1st 2015, and annually thereafter, be endorsed.

**132. STREET NAMING AND NUMBERING - FORMER GLAXOSMITHKLINE SITE**

This report asked Cabinet to approve new road names for a development at the former GlaxoSmithKline site (part of the Northern Gateway development site).

The Chairman welcomed the names that had been proposed and was pleased to see that the consultation process that was now being used had been successful. He then drew Members' attention to the tabled addendum which proposed that the additional road name of Devereux be considered. This name had been put forward by members of the Cabinet Advisory Panel. Mr Bob Devereux had been the Operations Director for Wellcome Foundation Limited when the company had been awarded the Roll of Honorary Freedom of the Borough of Dartford in 1989. He then proposed that the name Foley also be put forward for consideration. Mr Joe Foley had worked as the last Site Director and was committed to preserving the site's heritage.

During discussion Members noted that the proposed name Stanley was already used elsewhere in the Borough and so decided not to approve its use for this site. They also rejected the name Sydney as forenames are not normally used. They then asked that the description relating to the name Richmond be changed to indicate that it was being proposed to represent all of the families who had worked at the site over a number of generations.

The Strategic Director suggested that if Members were minded to use the 2 new names that had been proposed they could be included as part of the next road naming consultation exercise for future phases of development on the GlaxoSmithKline site. Members endorsed this approach and noted that the names could also be used if the site required names for playgrounds, courts or houses.

RESOLVED:

1. That **Burroughs, Dale, Foster, Jowett, Oaks, Wheeler, Perrin, Richmond, Peary, Scott, Shackleton, Alcock** and **Lindbergh** be approved as new road names for the development at the former GlaxoSmithKline site.
2. That the proposed names **Devereux** and **Foley** be included as part of the next road naming consultation exercise for future phases of development on the GlaxoSmithKline site.

**133. WRITE-OFF OF NATIONAL NON-DOMESTIC RATES**

This report asked Cabinet to consider the writing-off of Non Domestic Rate debts where it has not been possible to obtain payment because of insolvency, because the ratepayer cannot be traced or where the debt is otherwise irrecoverable.

RESOLVED:

That the sums shown on Appendix A of the report, in the closed part of the agenda, amounting to £153,601.63, be written off as uncollectible.

**134. WRITE-OFF OF COUNCIL TAX**

This report asked Cabinet to consider the writing-off of Council Tax debts where it had not been possible to obtain payment because the taxpayer could be traced or the debt was otherwise irrecoverable.

Members welcomed the efforts that were being made to track down those in Council Tax debt but asked why some of the debts dated back so many years. The Managing Director said that repeated court involvement, and the setting up of agreed repayment schemes, which are then broken, can result in the debt growing over a number of years. He also noted that if an untraceable taxpayer was ever located the debt could be written back on and further steps would be taken to recover it.

RESOLVED:

That the sums shown on Appendix A of the report, in the closed part of the agenda, amounting to £25,437.13, be written off as uncollectible.

**135. CALENDAR OF MEETINGS OF THE GENERAL ASSEMBLY OF THE COUNCIL, CABINET, COMMITTEES AND BOARDS**

This report sought Members' views on the proposed calendar of meetings for 2014/15 and the provisional calendar for 2015/16.

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Members suggested that copies of the table of dates and times for 2014/15 be sent out to Members on card following their agreement at the Annual meeting.

RESOLVED:

That the proposed calendar of meetings for 2014/15 and the provisional calendar of meetings for 2015/16 be submitted to the Annual Meeting of the Council.

**136. LAND AT ST. MARY'S ROAD, STONE - APPENDIX B  
(EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3)**

RESOLVED:

That, following discussion of the main report (minute 127), the appendix be noted.

**137. WRITE-OFF OF NATIONAL NON-DOMESTIC RATES - APPENDIX A  
(EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3)**

RESOLVED:

That, following discussion of the main report (minute 133), the appendix be noted.

**138. WRITE-OFF OF COUNCIL TAX - APPENDIX A  
(EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3)**

RESOLVED:

That, following discussion of the main report (minute 134), the appendix be noted.

The meeting closed at 8.55 pm

Councillor J A Kite, MBE  
CHAIRMAN